CP10

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address): TELEPHONE NO.	FOR COURT USE ONLY
Daniel Resch 818-442-1184 1410 Ewing St. Los Angeles, CA 90026 ATTORNEY FOR (Name):	
NAME OF COURT: STANLEY MOSK Courthouse STREET ADDRESS: 111 North Hill St. MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central	CASE NUMBER: 21STUD02273
Plaintiff: Longplatt Co. Defendant: Erik Seidenglanz, Elisha Iturra, Does 1-10	(For levying officer use only) Completed form was received on Date: 12/1/21 Time: 3:51 PM By: MW
CLAIM OF RIGHT TO POSSESSION AND NOTICE OF HEARING	

Complete this form only if ALL of these statements are true:

1. You are NOT named in the accompanying form called *Writ of Possession*.
2. You occupied the premises on or before the date the unlawful detainer (eviction) action was filed. *(The date is in the accompanying Writ of Possession.)*
3. You still occupy the premises.
4. A *Prejudgment Claim of Right to Possession* form was NOT served with the *Summons and Complaint*, OR this eviction results from a foreclosure.

NOTICE: If you are being evicted because of foreclosure, you have additional rights and should seek legal assistance immediately.

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is *(specify)*: Daniel Resch
2. I reside at *(street address, unit no., city and ZIP code)*:

   1410 EWING ST Los Angeles, CA 90026

3. The address of "the premises" subject to this claim is *(address)*:

   1410 Ewing St. Los Angeles. CA 90026

☐ Check here if this property was foreclosed on.

4. On *(insert date)*: 9/13/21, the owner, landlord, or the landlord's authorized agent filed a complaint to recover possession of the premises. *(This date is in the accompanying Writ of Possession.)*
5. I occupied the premises on the date the complaint was filed *(the date in item 4)*. I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed *(the date in item 4)*.
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed *(the date in item 4)*.
8. I was not named in the *Writ of Possession*.
9. I understand that if I make this claim of possession, a court hearing will be held to decide whether my claim will be granted.
10. *(Filing fee) To obtain a court hearing on my claim*, I understand that after I present this form to the levying officer I must go to the court and pay a filing fee of $ or file with the court *"Application for Waiver of Court Fees and Costs."* I understand that if I don't pay the filing fee or file the form for waiver of court fees within 2 court days, the court will immediately deny my claim.
11. *(Immediate court hearing unless you deposit 15 days' rent)* To obtain a court hearing on my claim, I understand I must also present a copy of this completed complaint form or a receipt from the levying officer. I also understand the date of my hearing will be set immediately if I do not deliver to the court an amount equal to 15 days' rent.

(Continued on reverse)

Plaintiff: Longpiatt Co. Defendant: Erik Seidenglanz, Elisba Iturra, Does 1-10	CASE NUMBER: 21STUD02273

12. I am filing my claim in the following manner *(check the box that shows how you are filing your claim. Note that you must deliver to the court a copy of the claim form or a levying officer's receipt)*:
    a. [ ] I presented this claim form to the sheriff, marshal, or other levying officer, AND within two court days I shall deliver to the court the following: (1) a copy of this completed claim form or a receipt, (2) the court filing fee or form for proceeding in forma pauperis, and (3) an amount equal to 15 days' rent; or
    b. [✓] I presented this claim form to the sheriff, marshal, or other levying officer, AND within two court days I shall deliver to the court (1) a copy of this completed claim form or a receipt, and (2) the court filing fee or form for proceeding in forma pauperis.

IMPORTANT: Do not take a copy of this claim form to the court unless you have first given the form to the sheriff, marshal, or other levying officer.

(To be completed by the court)

Date of hearing: Time: Dept. or Div.: Room:
Address of court:

NOTICE: If you fail to appear at this hearing you will be evicted without further hearing.

13. **Rental agreement.** I have *(check all that apply to you)*:
    a. [ ] an oral rental agreement with the landlord.
    b. [ ] a written rental agreement with the landlord.
    c. [ ] an oral rental agreement with a person other than the landlord.
    d. [ ] a written rental agreement with a person other than the landlord.
    e. [ ] a rental agreement with the former owner who lost the property through foreclosure.
    f. [✓] other *(explain)*: Plaintiff is not the landlord. This is only a partial list of Defendants: "Does 1-10" (see Summons and Complaint). At this time, Complaint has NOT been served on ALL Defendants residing at the entire premises. "All unnamed occupants were not named in the complaint (notice of clerk's rejection for default). "Prejudgment Claim of Right was not served in compliance with §415.46 CCP (Writ of Execution #25)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WARNING: Perjury is a felony punishable by imprisonment in the state prison.

Date: Daniel Resch
(TYPE OR PRINT NAME) (SIGNATURE OF CLAIMANT)

NOTICE: If your claim to possession is found to be valid, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

— NOTICE TO OCCUPANTS —

YOU MUST ACT AT ONCE if all the following are true:

1. **You are NOT named, in the accompanying form called Writ of Possession;**
2. **You occupied the premises on or before the date the unlawful detainer (eviction) action was filed;** *and*
3. **You still occupy the premises.**
4. **A Prejudgment Claim of Right to Possession form was NOT served with the Summons and Complaint, OR you are being evicted due to foreclosure.**

You can complete and SUBMIT THIS CLAIM FORM

(1) Before the date of eviction at the sheriff's or marshal's office located at *(address)*:

(2) OR at the premises at the time of the eviction. *(Give this form to the officer who comes to evict you.)*

If you do not complete and submit this form (and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee), YOU WILL BE EVICTED along with the parties named in the writ.

After this form is properly filed, A HEARING WILL BE HELD to decide your claim. If you do not appear at the hearing, you will be evicted without a further hearing.